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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
09/462,961	04/10/2000	JOHANNES KNOBLICH	GK-ZEI-3075	5712	
26418	7590 10/08/2003		EXAMINER		
REED SMI	TH, LLP ENT RECORDS DEPARTI	ROBINSON, MARK A			
599 LEXINGTON AVENUE, 29TH FLOOR NEW YORK, NY 10022-7650			ART UNIT	PAPER NUMBER	
			2872		
			DATE MAILED: 10/08/2003	DATE MAILED: 10/08/2003	

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action Application No. Application Applica				<u> </u>			
Examiner Mark A. Robinson		Application No.	Applicant(s)				
### PARTING DATE of this communication appears on the cover sheet with the correspondence address THE REPLY FILED 18 September 2003. FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Interestors, further action by the applicant is required to avoid abandomment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either; (f) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. a) The period for reply expires	Advisory Action	09/462,961	KNOBLICH, JOHAN	NNES			
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a) The period for reply expiresmonths from the mailing date of the final rejection. The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no evert, however, with the statutory period for reply expire sor. (1) the mailing date of the final rejection. ONLY CHECK TRIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FIRAL REJECTION. See MPEP 700-100-100. The control of the final rejection on the control of the control of the final rejection. ONLY CHECK TRIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FIRAL REJECTION. See MPEP 700-100-100-100-100-100-100-100-100-100-	Therefore, further action by the applicant is required to a final rejection under 37 CFR 1.113 may only be either: (1 condition for allowance; (2) a timely filed Notice of Appetexamination (RCE) in compliance with 37 CFR 1.114.	evoid abandonment of this applic 1) a timely filed amendment whi al (with appeal fee); or (3) a tim	cation. A proper re ich places the appli	ply to a cation in			
to period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later, to no event, however, with the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK TRIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706,07(f). Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee the very period to reply originally set in the final Office action, or (2) as set forth in (3) calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action, or (2) as set forth in 37 CFR 1.192(a), or any extension the three months after the mailing date of the final rejection, even if timely filled, may reduce any searned patent term adjustment. See 37 CFR 1.704(b). 1. ☑ A Notice of Appeal was filled on 18 September 2003. Appellant's Brief must be filled within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal. 2. ☐ The proposed amendment(s) will not be entered because: (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below); (b) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims. NOTE: 3. ☐ Applicant's reply has overcome the following rejection(s): 4. ☐ Newly proposed or amended claim(s) ☐ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s). 5. ☑ The a) ☐ afficiavit, b) ☐ exhibit, or c) ☑ request for reconsideration has been considered but does NOT place the application in condition for allowance because it is not directed SOLELY to issues which were	PERIOD FOR RE	EPLY [check either a) or b)]					
have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.179 (is eaclusted from; (1) the expiration date of the shortened statutory period for reply riorially set in the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b). A Notice of Appeal was filed on 18 September 2003. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal. C The proposed amendment(s) will not be entered because: (a) they raise new issues that would require further consideration and/or search (see NOTE below); (b) they raise the issue of new matter (see Note below); (c) they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or (d) they present additional claims without canceling a corresponding number of finally rejected claims. NOTE: 3 Applicant's reply has overcome the following rejection(s): 4 Newly proposed or amended claim(s) would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s). 5 The a) affidavit, b) exhibit, or o) request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet. 6 The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection. 7 For purposes of Appeal, the proposed amendment(s) a) will not be entered or b) will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended. The status of the claim(s) is (or will be) as follows: Claim(s) allowed:	b) The period for reply expires on: (1) the mailing date of this Adv event, however, will the statutory period for reply expire later th ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS 706.07(f). Extensions of time may be obtained under 37 CFR 1.136(a). The da	risory Action, or (2) the date set forth in th an SIX MONTHS from the mailing date o FILED WITHIN TWO MONTHS OF TH te on which the petition under 37 CFR 1.	f the final rejection. E FINAL REJECTION. 5 136(a) and the appropriat	See MPEP te extension fee			
37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal. 2.	37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened (b) above, if checked. Any reply received by the Office later than three mo	d statutory period for reply originally set in	the final Office action; or	(2) as set forth in			
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	<u>_</u>		MARK A. ROBI				

Continuation of 5. does NOT place the application in condition for allowance because: the examiner has reviewed applicant's remarks. The final rejection is still deemed to be valid.